IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS GALVESTON DIVISION

JAMES MCINGVALE

Plaintiff

V.

**SCIVIL ACTION NO. 3:06-cv-00587*

ROBERT A. BAFFERT; BOB BAFFERT

RACING, INC.; J.B. MCKATHAN; KEVIN

MCKATHAN; AND MCKATHAN

BROTHERS FARM, L.L.C.

Defendants

FINAL JUDGMENT

On the below entered date came Plaintiff JAMES McINGVALE and Defendants ROBERT A. BAFFERT, BOB BAFFERT RACING, INC., J.B. McKATHAN, JR., KEVIN McKATHAN, McKATHAN BROTHERS FARM, L.L.C., OUR TEAM, L.C., EMERALD AVIATION ENTERPRISES, LLC, HILL 'N' DALE SALES AGENCY, INC., HIGHCLERE SALES, LLC, DONATO LANNI, MURRAY SMITH AND DAVID McKATHAN (hereinafter referred to as "the Parties") and advised the Court that they have amicably resolved all claims against one another and have entered into a mutual release and settlement agreement of any and all claims, known or unknown, that existed between them. As a result, the Parties have requested that any and all claims or causes of action asserted in the above-referenced and numbered cause be dismissed in their entirety with prejudice with each party to bear their respective costs of Court.

It is therefore ORDERED, ADJUDGED and DECREED that Plaintiff JAMES McINGVALE's Third Amended Complaint against all Defendants is hereby dismissed in its entirety with prejudice with each party to bear their respective costs of Court. It is ORDERED,

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ADJUDGED and DECREED that Defendants J.B. McKATHAN, JR., KEVIN McKATHAN and McKATHAN BROTHERS FARM, L.L.C.'s Counter-Claim against Plaintiff JAMES McINGVALE is hereby dismissed in its entirety with prejudice with each party to bear their respective costs of Court. Additionally, it is ORDERED, ADJUDGED and DECREED that any other claims or causes of action held by the Parties that in any way relate to the allegations that form the basis of Cause No. 3:06-cv-00587 are hereby discharged and forever barred.

This is a Final Judgment that is intended to finally dispose of any and all claims, known or unknown, that exist between any of the Parties.

SIGNED this the

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SAMUEL B. KENT

UNITED STATES DISTRICT JUDGE

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